

REMARKS

Applicants thank the Examiner for the Office Action of November 29, 20075. This Amendment is in full reply thereto.

In the Office Action, the Examiner objected to the Specification as failing to provide support for the subject matter of claim 8. Applicants have amended the Specification to include such description and thus request withdrawal of the objection.

In the Office Action, the Examiner rejected claims 5-6 and 8 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,216,719 B1 (Meyer). Applicant respectfully traverse this rejection because Meyer fails to disclose, teach, or suggest all of the limitations of the claims as amended, including programmable logic allowing a pump to operate only when the pressure measured in the storage tank lies within a predetermined range. To the extent that Meyer addresses the details of the claimed programmable logic, it discloses permitting a pump to operate as long as two pressure sensors verify pressure in the delivery hose at both ends. Applicants note that sensing the presence of pressure in two locations is not a disclosure of a measured pressure in the storage tank within a predetermined range, as claimed. A range by definition has lower and upper limits. As such, the rejection should be withdrawn.

In the Office Action, the Examiner also rejected claims 5-6 and 8 under 35 U.S.C. § 103(a) as unpatentable over Meyer in view of U.S. Patent No. 4,805,672 (Berrettini et al.). Applicants respectfully traverse because Meyer fails to disclose teach, or suggest the claimed subject matter as amended as explained above, and Berrettini et al. fails to cure that deficiency. To the extent that Berrettini et al. addresses the details of the claimed programmable logic, it discloses control of a valve based upon the reaching of a setpoint determined by the difference between two pressures. Applicants note that a setpoint corresponding to a difference between two pressures does not constitute a disclosure of the presence of a measured pressure in the storage tank within a predetermined range. To put it mathematically, Berrettini et al. discloses the relationship $P1 - P2 \geq \delta P$, while the claims require the relationship $X \leq P3 \leq Y$. As such, the rejection should be withdrawn.

In the Office Action, the Examiner also rejected claim 7 under 35 U.S.C. § 103(1) as unpatentable over Meyer in view of Berrettini et al. and U.S. Patent No. 5,062,417 (Cowen). Applicants respectfully traverse because Meyer and Berrettini et al., alone or in combination, fail to disclose, teach or suggest the claimed subject matter as described above and Cowen fails to cure their deficiencies. As such, the rejection should be withdrawn.

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below. A Petition for a One Month Extension of Time has been contemporaneously submitted with this Amendment along with the associated fee. Otherwise, it is believed that no fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

Respectfully submitted,

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